

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

FILED BY CLERK

DEC 20 2007

COURT OF APPEALS  
DIVISION TWO

IN RE EDZEKIEL C.

) 2 CA-JV 2007-0075

) DEPARTMENT B

) MEMORANDUM DECISION

) Not for Publication

) Rule 28, Rules of Civil

) Appellate Procedure

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. 12338403

Honorable Jane L. Eikleberry, Judge

AFFIRMED

Robert J. Hooker, Pima County Public Defender

By Susan C. L. Kelly

Tucson

Attorneys for Minor

E S P I N O S A, Judge.

¶1 Edzekiel C., a seventeen-year-old juvenile, appeals from the juvenile court's order adjudicating him delinquent, extending his previously imposed term of probation, and ordering that he remain detained for thirty days, after which he will "be terminated from probation unsuccessfully." Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738 (1967); *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969); and *State v. Clark*, 196

Ariz. 530, 2 P.3d 89 (App. 1999), which also apply to delinquency proceedings. *See In re Maricopa County Juv. Action No. JV-117258*, 163 Ariz. 484, 486, 788 P.2d 1235, 1237 (App. 1989). Counsel states she has thoroughly reviewed the record without finding an arguable issue for appeal and asks this court to search the record for error.

¶2 Edzekiel was originally adjudicated delinquent in April 2007 for committing disorderly conduct. Based on that adjudication, the juvenile court placed him on probation. In August 2007, the state filed a petition to revoke Edzekiel's probation, alleging he had violated its terms by using marijuana, failing to submit to urinalysis, failing to complete community service, and failing to abide by the "gang conditions" imposed. The state also filed a second delinquency petition alleging Edzekiel had committed an act of threatening and intimidating. At a combined adjudication and disposition hearing on both petitions, Edzekiel admitted the offense alleged in the delinquency petition and the first three allegations in the petition to revoke probation.

¶3 The probation department recommended Edzekiel spend thirty days in detention. Edzekiel agreed that consequence was appropriate but asked that the juvenile court not terminate his probation unsuccessfully. The court deemed Edzekiel's offenses too serious, however, to warrant successful termination of probation, noting Edzekiel had "thumbed [his] nose at probation," had paid no "attention to the requirements of probation," and had been "running around threatening to kill probation officers and detention officers."

¶4 The record conclusively shows the juvenile court’s disposition order was not arbitrary, capricious, or an abuse of the court’s discretion. Having reviewed the record in its entirety pursuant to our obligation under *Anders* and having found no fundamental error, we affirm the juvenile court’s orders of adjudication and disposition.

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PHILIP G. ESPINOSA, Judge

CONCURRING:

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PETER J. ECKERSTROM, Presiding Judge

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GARYE L. VÁSQUEZ, Judge